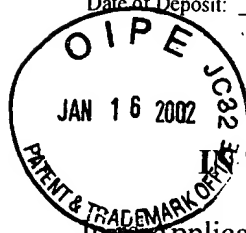


"Express Mail" mailing label number EL562415196US

Date of Deposit: 01/16/02



Our Case No. 10466/51

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Ashkenazi et al.

Serial No. 09/903,562

Filing Date: July 11, 2001

For SECRETED AND  
TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME

)  
)  
)  
) Examiner To be assigned

)  
) Group Art Unit No. 1645  
)  
)  
)

**PETITION**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures, dated November 21, 2001 (copy enclosed), Applicants hereby petition that the drawing sheet containing Figure 124 described in the specification (copy enclosed), be accorded the July 11, 2001 filing date accorded to the other 260 pages of specification (including title page) and one hundred and twenty-three (123) sheets of drawings. The petition fee of \$130 set forth in 37 CFR § 1.17 (h) is enclosed herewith.

In support of this petition, Applicants enclose a copy of the date-stamped postcard receipt returned by the Office, which acknowledges receipt by the Office of "124 Pages of Formal Drawings" (emphasis added). Applicants note that the drawing sheet containing Figure 124

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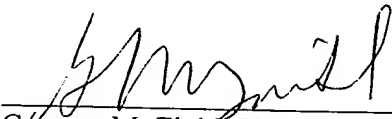
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described in the specification constitutes the one hundred and twenty-fourth of one hundred and twenty-four drawing sheets submitted to and received by the Office in the above-identified patent application.

Thus, in accordance with MPEP § 503, which states "[a] postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO," Applicants respectfully request that the present petition be granted. Furthermore, Applicants respectfully request that the petition fee be refunded at such time as the present petition is granted, as required by MPEP § 601.01(d).

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
Gregory M. Zink, Ph.D.  
Registration No. 48,492  
Agent for Applicant

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